NATIONAL GUARD

RELIEF, RECYCLE, REMOVAL & RESIGNATION

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Community Based - Ready - Focused on People

NATIONAL GUARD

THE BASICS

- Official Guides and Regs are hard to follow
  - Interchange terms
  - Interchange responsibilities

- Process can be simplified

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KEY CONSIDERATION

- Should s/he stay or should s/he go????
  - (Think the song by the Clash!!!)

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YOUR MANTRA

- Should this OC be removed from training?
  - If so, why

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ACTIONS WARRANTING REMOVAL

- The ARNG OCS program provides three official remedies for soldiers who do not meet course requirements, require disciplinary action, or cannot successfully continue OCS training.

- Commanders at all levels are not restricted to these remedies and may provide remedies as the situation dictates with the means available; however, these remedies are provided.

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THE 3 Rs (PLUS 1)

- Relief – Disenrollment per 5-6i
- Recycle – Re-do
- Resignation – OC says “I am outta here!”

- AND YOURS……..
  - REMOVAL!!!

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QUICK REVIEW

- OC has a removal event

- Cadre counsels OC in jeopardy of being removed from training
  - If no improvement, then
- Cadre counsels again
- OC has right to submit written statement

- Submit documentation & evidence to OCS Company Commander

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COMPANY CMDR

- CO CMDR reviews packet
  - Interviews OC
  - Concurs/Non-Concurs
- If Non-Concur
  - Return to training
- If Concur
  - Forward packet to appropriate higher CMDR

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COMMANDER (OCS BN, GS BN or REGIMENT)

- CMDR
  - Reviews packet
  - Receives input from OC Chain of Command
  - Interviews OC

- If CMDR Non-Concurs with removal
  - OC returned to training

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COMMANDER (OCS BN, GS BN or REGIMENT) (cont'd)

- CMDR Concurs with removal
  - OC advised of right to appeal
  - OC has 24 hrs to provided written appeal
    - OC can request a JAG consult (AR 27-3)
      - If no JAG available, OC must proceed w/o legal
  - OC will remain in course pending final disposition
    - Can keep OC from training but must make-up all training if OC ultimately retained
    - Only Approval Authority (0-5 BN CMDR) can direct removal from training pending disposition

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THE APPEAL Involuntary - Nonmedical

- . The appeal must be in writing and must elaborate why he feels the Battalion Commanders decision should be changed.

- A board of officers will review Officer Candidate appeals:
  - A minimum of three Officers from different states, if available.
  - Senior Officer from appealing candidate's state will be on the board, if available.
  - The recommendation of the board will be forwarded to the Commander, RTI.

- Decision of the Commander, RTI is final.

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THE APPEAL
Involuntary - Medical

- Officer Candidate appeals to board of officers:
  - A minimum of three Officers from different states, if available.
  - Senior Officer from appealing candidate's state will be on the board, if available.
  - OCS Physician/representative will sit on the board of Officers.
- Officer Candidate may appeal to the Commander, RTI

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THE DECISION

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THE DECISION

- CMDR RTI determines
  - OC Stays
    - Return OC to training
      - Ensure OC is afforded fair opportunity to catch-up
  - OC Goes
    - Send OC home
      - Send documentation

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OC HOME STATE

- The authority to relieve or recycle a soldier entirely from the ARNG OCS program resides in the soldier's home state only.
- Soldiers may only be relieved from or recycled in the OCS program by the authority of the first O5 in the candidate's chain of command (OCS battalion commander or GS battalion/RTI commander) in the officer candidate's home state.
- If the decision to relieve a candidate is made, the commander must determine if the soldier is to be relieved with prejudice or without prejudice.

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RESIGNATIONS

- OC submits request in writing to the cadre chain of command
- Cadre counsels OC
- CO CMDR interviews and counsels OC
- BN CMDR interviews, counsels and accepts if OC determined to resign
  - Remove from training
  - OC returns home
  - Home state determines OC final status

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ADDITIONAL

- Process is confidential
- Don’t make process difficult
- Consult the JAG early
- Professional always

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QUESTIONS